

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF VIRGINIA**

UNITED STATES OF AMERICA

Action No.: 1:10CR00002-027

-vs-

Date: April 13, 2010

Judge: James P. Jones

BRANDON D. KINCER

Court Reporter: Bridget Dickert

LIST OF WITNESSES

Attorney

Zachary T. Lee

Attorney

Daniel W. Fast

PLAINTIFF/GOVERNMENT:

DEFENDANT:

1. _____

1. _____

2. _____

2. _____

3. _____

3. _____

4. _____

4. _____

PROCEEDINGS:

HEARING ON DEFENDANT'S OBJECTION TO REPORT AND RECOMMENDATION

11:20 a.m. Case called. All parties present and ready to proceed. Defendant has filed objections to U. S. Magistrate Judge Sargent's Report and Recommendation on Motion to Dismiss the Indictment. Defendant's counsel presented oral argument in opposition to the Report and Recommendation; government's counsel responded. Court ruling: objections are overruled for reasons stated by Judge Sargent. The Report and Recommendation is accepted, and the motion to dismiss is denied. Clerk is directed to docket this ruling. Defendant's counsel stated that defendant intends to enter a guilty plea without a plea agreement on Monday, April 19, 2010 in Abingdon, VA. Court recessed at 11:50 p.m.

Total time in court: 30 minutes

Deputy Clerk: Libby Sharp

Initials of Deputy Clerk _____